

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CORNELIUS COLEMAN AND LINDA
HORAN, on behalf of themselves and all
others similarly situated,

Plaintiffs,

v.

RAILWORKS CORPORATION, KEVIN
RIDDETT AND BOB CUMMINGS,

Defendants.

Case No. 20-civ-02428 (GBD)

PLEASE TAKE NOTICE that, on a date and time convenient to the Court, Plaintiff in the above-captioned matter will move this Court, pursuant to Federal Rules of Civil Procedure 23(a), (b)(3), and (e) for an order: (1) certifying the proposed Settlement Class; (2) naming Plaintiffs as class representatives; (3) appointing Finkelstein, Blankenship, Frei-Pearson & Garber, LLP and Thomas & Solomon LLP as Class Counsel; (4) granting preliminary approval to the Settlement Agreement; (5) approving the proposed Notice Plan; (6) scheduling a final fairness hearing; and (7) granting such further relief the Court deems reasonable and just.

In support of this motion, Plaintiff respectfully submits the accompanying memorandum of law.

Dated: White Plains, New York
November 30, 2020

/s/Jeremiah Frei-Pearson
Jeremiah Frei-Pearson
**FINKELSTEIN, BLANKINSHIP,
FREI-PEARSON & GARBER, LLP**
One North Broadway, Suite 900
White Plains, New York 10601
Tel: (914) 298-3281
Fax: (914) 824-1561
jfrei-peerson@fbfglaw.com

/s/ Jessica L. Lukasiewicz

Jessica L. Lukasiewicz

J. Nelson Thomas

THOMAS & SOLOMON LLP

693 East Avenue

Rochester, New York 14607

Tel: (585) 272-0540

jlukasiewicz@theemploymentattorneys.com

nthomas@theemploymentattorneys.com

*Attorneys for Plaintiffs and the Putative
Class*